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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WARREN HUCH,

Plaintiff,

vs.

PACIFIC SEAFOOD – LAS VEGAS, LLC,
et al.,

Defendants.

CASE NO.: 2:24-cv-01445-CDS-MDC

**PROPOSED JOINT DISCOVERY
PLAN AND SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

Pursuant to LR 16-1 and 26-1(b), the Parties to this action, acting by and through their counsel of record, hereby submit this Joint Discovery Plan and Scheduling Order. The Defendants seek additional time to perform discovery and the Plaintiff has assented to this request.

A. Meeting: Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1, counsel for the Parties conferred over this Joint Proposed Discovery Plan and Scheduling Order on October 3, 2024, (“Discovery Case Conference”) and agreed to the following deadlines:

1. Discovery Cut-Off.

Pursuant to LR 26-1(b)(1), the parties request special scheduling review to permit discovery to run for 364 days from the date of the first Answer or other responsive pleading, which was filed September 20, 2024. Therefore, the discovery cut-off date will be September 19, 2025 (“Discovery Cut-Off Date”).

2. *Amending the Pleadings and Adding Parties.*

Pursuant to LR 26-1(b)(2), the Parties will file any and all motions to amend the pleadings or to add parties by no later than 90 days before the Discovery Cut-Off Date. Ninety days before the Discovery Cut-Off Date falls on a weekend, so any and all motions to amend the pleadings or to add parties will be due no later than June 20, 2025.

3. *Fed. R. Civ. P. 26(a)(2) Expert Disclosures.*

Pursuant to LR 26-1(b)(3), expert disclosures will be made in this matter as follows:

a. The Parties will make their initial expert disclosures in this matter by no later than 60 days before the Discovery Cut-Off Date, or July 21, 2025, pursuant to Fed. R. Civ. P. 6(a)(1)(C); and

b. The Parties will make their rebuttal expert disclosures by no later than 30 days after the initial disclosure of experts, or August 20, 2025, pursuant to Fed. R. Civ. P. 6(a)(1)(C).

4. *Dispositive Motions.*

Pursuant to LR 26-1(b)(4), the Parties will file any and all dispositive motions by no later than 30 days after the Discovery Cut-Off Date. Thirty days after the Discovery Cut-Off Date falls on a weekend, so any and all dispositive motions will be due no later than October 17, 2025.

5. *Joint Pretrial Order.*

Pursuant to LR 26-1(b)(5), the Parties will file the joint pretrial order no later than 30 days after the dispositive motion deadline. Thirty days after the dispositive motion deadline falls on a weekend, so the Parties will file their joint pretrial order by no later than November 14, 2025, pursuant to Fed. R. Civ. P. 6(a)(1)(C). If either Party files a dispositive motion, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motion(s) or further court order.

1 **6. *Fed. R. Civ. P. 26(a)(3) Pretrial Disclosures.***

2 Pursuant to LR 26-1(b)(6), the Parties will make their Fed. R. Civ. P. 26(a)(3) pretrial
3 disclosures at least 30 days before trial. Within 14 days after they are made, unless the Court
4 sets a different time, either Party may serve and promptly file a list of the following
5 objections: any objections to the use under Fed. R. Civ. P. 32(a) of a deposition designated
6 by another party under Fed. R. Civ. P. 26(a)(3)(A)(ii); and, any objection, together with the
7 grounds for it, that may be made to the admissibility of materials identified under Fed. R.
8 Civ. P. 26(a)(3)(A)(iii). An objection not so made— except for one under Fed. R. Evid. 402
9 or 403—is waived unless excused by the court for good cause.

10 **7. *Alternative Dispute Resolution.***

11 Pursuant to LR 26-1(b)(7), the Parties hereby certify that they met and conferred
12 about the possibility of using alternative dispute resolution processes including mediation,
13 arbitration, and if applicable, early neutral evaluation. The parties have declined arbitration
14 but will participate in the early neutral evaluation, which they anticipate will be held on or
15 before December 19, 2024, pursuant to LR 16-6(d). If early neutral evaluation does not lead
16 to full and complete resolution, the parties believe mediation will be a likely next step toward
17 resolution.

18 **8. *Alternative Forms of Case Disposition.***

19 Pursuant to LR 26-1(b)(8), the Parties hereby certify that they have considered and
20 declined to consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ.
21 P. 73 and the use of the Short Trial Program (General Order 2013-01).

22 **9. *Electronic Evidence.***

23 Pursuant to LR 26-1(b)(9), the Parties hereby certify the following:

- 24 a. Has a jury trial been demanded? **YES.**
- 25 b. Have the parties reached any stipulations regarding discovery in an
26 electronic format compatible with the court's electronic jury evidence display system? Not at
27 this time, but it is anticipated the parties will be able to stipulate to doing so.

10. *Fed. R. Civ. P. 26(a)(1) Initial Disclosures.*

The Parties will make their Fed. R. Civ. P. 26(a)(1)(C) initial disclosures within 14 days of the date of the Discovery Case Conference, or by October 17, 2024.

Approved as to form and content.

DATED this 15th day of October, 2024.

CHRISTENSEN JAMES & MARTIN, CHTD.

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IT IS SO ORDERED. The plan is denied.
The parties do not show good cause or any reason why 364 days is needed for discovery. The parties shall file an amended stipulation in compliance with LR 26-1(b) and the standard 180-discovery period. The Court will consider discovery extensions should the need arise and the parties demonstrate good cause and diligence in pursuing discovery.


UNITED STATES MAGISTRATE JUDGE

DATED: 10-16-24